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FILED
HELENA DIVISION

2005 DEC 1 PM 4 02

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PATRICK E. DUFFY, CLERK
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6 Attorneys for Petitioner

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8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE DISTRICT OF MONTANA
10 MISSOULA DIVISION

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13 RONALD ALLEN SMITH,
14 Petitioner,
15 -vs-
16 MIKE MAHONEY, warden,
Montan State Prison,
17 Respondent.

Cause No. CV-86-198-M-CCL

MOTION FOR ADDITIONAL TIME

18 COMES NOW the Petitioner, by and through undersigned counsel and respectfully
19 moves this Court for an Order granting counsel until December 5, 2005 to file their response
20 to the Respondent's Motion to Dismiss and for Summary Judgment.

21 The basis for this motion is that both counsel for the Petitioner will be in trial in New
22 Mexico and Montana from the first week in October through at least the third week in
23 November, and due to the number and complexity of the issues raised in the Respondent's
24 motion, counsel need significant time to research and prepare their response.

1 Counsel has contacted C. Mark Fowler, attorney for the Respondent, and he has
2 agreed to the request for additional time.
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4 RESPECTFULLY SUBMITTED: November 30, 2005.

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15 Attorneys for the Petitioner

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CERTIFICATE OF MAILING

8 I, Gregory A. Jackson, Attorney at Law, do hereby certify that on November 50,
9 2005 I served a copy of the foregoing document upon the following by mailing a true and
correct copy thereof, postage prepaid and addressed as follows:

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C. Mark Fowler
Assistant Attorney General
P.O. Box 201301
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Gregory A. Jackson, Attorney at Law

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